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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 EDUARDO DELGADO,) CIVIL NO. 2:24-cv-1576-JDP
14 Plaintiff,)
15 v.) **STIPULATION TO VOLUNTARY**
Commissioner of Social Security,) **REMAND PURSUANT TO SENTENCE**
16 Defendant.) **FOUR OF 42 U.S.C. § 405(g) AND TO**
17) **ENTRY OF JUDGMENT; [PROPOSED]**
18) **ORDER**
19)

20 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant
21 Commissioner of Social Security (“Defendant”), through their undersigned counsel of record,
22 that the above-entitled action shall be remanded to the Commissioner of Social Security for
23 further administrative proceedings.

24 Upon remand, the Appeals Council will remand the case to an Administrative Law
25 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The
26 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
27 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
28

STIPULATION TO REMAND

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).

3
4 Dated: November 4, 2024

/s/ Kevin Heitke*

KEVIN HEITKE

Attorney for Plaintiff

*Authorized via e-mail on November 4, 2024

7 PHILLIP A. TALBERT

8 United States Attorney

MATHEW W. PILE

9 Associate General Counsel

Social Security Administration

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11 By: /s/ Erin Jurrens

ERIN JURRENS

12 Special Assistant U.S. Attorney

13 Attorneys for Defendant

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17 **~~[PROPOSED]~~ ORDER**

18 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
19 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,
20 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
21 Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social
22 Security Act, 42 U.S.C. 405(g).

23
24 IT IS SO ORDERED.

25
26 Dated: November 4, 2024



JEREMY D. PETERSON

UNITED STATES MAGISTRATE JUDGE